

**United States Court of Appeals
For the First Circuit**

USDC-MA
05-10192

No. 06-1089

UNITED STATES OF AMERICA,

Plaintiff, Appellee,

v.

ONE STAR CLASS SLOOP SAILBOAT BUILT IN 1930 WITH HULL NUMBER 721,
NAMED "FLASH II",

Defendant in Rem.

KERRY SCOTT LANE,

Claimant, Appellant.

JUDGMENT

Entered: August 16, 2006

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AND IN MY LEGAL CUSTODY.

FIRST CIRCUIT COURT OF APPEALS
BOSTON, MA

By: SOJ Date: 8/16/2006

This cause came on to be heard on appeal from the United States District Court for the District of Massachusetts and was argued by counsel.

Upon consideration whereof, it is now here ordered, adjudged and decreed as follows: The district court's order denying the Rule 60(b) motion is vacated, and the matter is remanded for further proceedings consistent with the opinion issued this day. No costs are awarded.

By the Court:

RICHARD CUSHING DONOVAN

Richard Cushing Donovan, Clerk

[Certified copies to Hon. Rya W. Zobel and Ms. Sarah A. Thornton, Clerk, United States District Court for Massachusetts. Copies to Ms. Wright, Mr. Kerner, Ms. Grantland, Mr. Goldberg, and Mr. Allen.]